

Nichols

Remarks on Suggested Revision of
Section 106, S. 2102

OGC Has Reviewed

1. Original Version
S. 2102
Page 11, line 24
to Page 15, line 6.

No change has been made in opening sentence of Section 106.

2. Original Version
S. 2102
Page 15, line 6
to line 13.

As originally written it provided for the Central Intelligence Agency's membership to include a commissioned officer of the Army, Navy and Air Forces, representatives of the Department of State and Treasury, a representative of the F.B.I. and such other representatives of agencies and departments of the Government as the Coordinator of Common Defense may recommend and the President approve.

Recommended Revision
Page 15, line 6 to
Page 16, line 2.

The original provision has been revised and other provisions added. As now written it provides that any commissioned officer of the United States Army, Navy, or Air Forces may be appointed to the office of the Director and that such officer may serve without relinquishing any military rights or privileges. It also makes provision for such officer to receive compensation at the rate of \$12,000 per annum while serving as Director. Where it was originally provided that the Coordinator of Common Defense determines the membership of the Central Agency it now provides that the Council of Common Defense with the approval of the President determines the military and civilian personnel to be assigned to the Central Agency from the departments and agencies of the Government.

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3. Original Version
S. 2102
Page 15, line 14
to Page 16, line 5.

Recommended Revision
Page 16, line 3
to Page 17, line 7

The outline of duties as originally written in S. 2102 is subject to various interpretations and does not clearly define the responsibilities of the Central Intelligence Agency.

The entire outline has been deleted and a description of the duties and responsibilities of the Central Intelligence Agency has been substituted which follows closely the wording of the Executive Order establishing the Central Intelligence Group.

4. Original Version
S. 2102
Page 16, line 6 to
line 19

Recommended Revision
Page 17, line 8 to
Page 17, line 20.

The bill in its original form provided that the Central Intelligence Agency shall in no way relieve the existing intelligence agencies of their responsibilities for, or authority over, intelligence work under their jurisdiction.

This provision has been revised to provide that intelligence responsibilities of the departments and other agencies will not be affected except as they may be relieved of authorities and responsibilities by the Central Intelligence Agency pursuant to authority provided in subsection (b). The subsection referred to provides that the Central Agency perform such intelligence services of common concern as the Council of Common Defense determines can be more efficiently accomplished by the Agency.

5. Original Version
S. 2102
Page 16, line 9 to
line 16.

No change.

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6. Original Version
S. 2102
Page 16, line 17 to
Page 17, line 11.

Provides for an executive secretary to be appointed by the President, with the advice and consent of the Senate, compensation to be at the rate of \$10,000 per annum. Also provides that such secretary may, with the approval of the Director of the Central Agency employ the services of part time advisory personnel.

(a) The foregoing has been deleted and no provision substituted therefor. It is believed to be unnecessary and undesirable to have an executive secretary appointed by the President to serve under the Director of Central Intelligence. It is further believed that the executive secretary should be and can be appointed by the Director of Central Intelligence under the provisions of subsection b (Item 2 above). It is also believed that subsection ~~Y~~ will permit employment of such part time advisory personnel as may be deemed necessary.

7. Original Version
S. 2102
Page 17, line 12 to
line 18.

As originally stated the bill provides that the Central Intelligence Agency make use of the facilities and services of the Departments of State, Treasury, Justice, War, Navy, Air and other Governmental agencies available for intelligence work and authorizes and directs such agencies to make such facilities and services available and to participate to the fullest extent in the objectives of the agencies.

- Recommended Revision
Page 17, line 21 to
Page 18, line 10.

The foregoing has been revised but retains the same requirements and a paragraph has been added which provides that the intelligence operations of the departments and agencies shall be open to inspection by the Director in connection with planning operations of

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the Agency, and the intelligence possessed by such departments and agencies shall be made freely available to the Director for correlation, evaluation or dissemination.

No change.

8. Original Version
S. 2102
Page 17, line 19 to
Page 18, line 2.

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(NO CHANGE)

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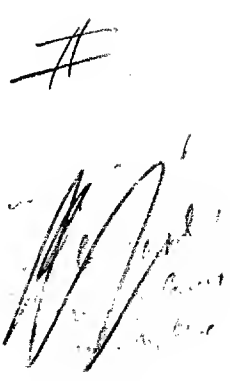
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CENTRAL INTELLIGENCE AGENCY

25

SEC.106 (a) There shall be in the Council of Com-

1 non Defense a Central Intelligence Agency (hereinafter
2 in this section referred to as the "Agency"), with a
3 Director who shall be the head thereof, to be appoint-
4 ed by the President, *from civilian or military life* by and with the advice and consent
5 of the Senate, who shall receive compensation at the
6 rate of \$12,000 per annum. Any commissioned officer
7 of the United States Army, the United States Navy, or
8 the United States Air Forces may be appointed to the
9 office of Director; and his appointment to, acceptance
10 of, and service in, such office shall in no way affect
11 any status, office, rank, or grade he may occupy or
12 hold in the United States Army, the United States Navy,
13 or the United States Air Forces, or any emolument, per-
14 quisite, right, privilege, or benefit incident to or
15 arising out of any such status, office, rank, or grade.
16 Any such commissioned officer on the active list shall,
17 while serving in the Office of Director, receive the
18 military pay and allowances payable to a commissioned
19 officer of his grade and length of service and shall be
20 paid, from any funds available to defray the expenses
21 of the Agency, annual compensation at a rate equal to
22 the difference between \$12,000 and the amount of his
23 annual military pay and allowances. There shall be as-
24 signed to duty with the Agency such military and civilian
25 personnel of the departments and agencies of the Govern-



1 ment as the Council of Common Defense may, from time to
2 time, recommend and the President approve.

3 (b) It shall be the duty of the Agency, under the
4 supervision and direction of the Council of Common De-
5 fense, to plan, develop, and coordinate the foreign in-
6 telligence activities of the United States in such man-
7 ner as to assure the most effective accomplishment of
8 the intelligence mission relating to the national secur-
9 ity. *subject to the supervision and direction of the Council of Common Defense*
10 *subject to the supervision and direction of the Council of Common Defense*
(1) correlate and evaluate intelligence re-

11 lating to the national security and provide for
12 the appropriate dissemination within the Govern-
13 ment of the resulting strategic and national
14 policy intelligence;

15 (2) make plans for the coordination of such
16 of the intelligence activities of the departments
17 and agencies of the Government as relate to the
18 national security and recommend to the Council of
19 Common Defense the establishment of such over-all
20 policies and objectives as will assure the most
21 effective accomplishment of the national intelli-
22 gence mission;

23 (3) perform, for the benefit of the depart-
24 ments and other agencies of the Government such
25 intelligence services of common concern as relate

1 to the national security and as the Council of Com-
 2 mon Defense determines can be more efficiently ac-
 3 complished by the Agency; and
 4 (4) perform such other functions and duties
 5 relating to intelligence affecting the national
 6 security as the President or the Council of Common
 7 Defense may from time to time direct.
 8 (c) The responsibility and authority of the depart-
 9 ments and other agencies of the Government to ~~collect~~
 10 ~~evaluate, correlate, and disseminate intelligence~~ shall *perform intelligence operations*
 11 not be affected, except to the extent that the Agency *perform intelligence*
 12 may relieve them of such authority and responsibility *operations under*
 13 pursuant to the provisions of subsection (b). The Agency
 14 shall have no police, subpoena, law enforcement, or in-
 15 ternal security powers or functions; nor shall anything
 16 herein be construed as authorizing the *Agency to make*
 17 ~~making of investi-~~ *Agency to make*
 18 ~~gations inside the continental United States or its poss-~~
 19 ~~essions, except as provided by law. The Director of the~~
 20 ~~Agency shall be responsible for fully protecting intelli-~~
 21 ~~gence sources and methods,~~ *Agency to make*
 22 (d) The Agency shall make use of the facilities *Agency to make*
 23 and services of the military and the civilian intelligence *Agency to make*
 24 agencies of the Government and may conduct intelligence *Agency to make*
 25 projects through, or in cooperation with, such agencies.
 Such agencies are hereby authorized and directed to make

1 such facilities and services available to the Agency and
2 to participate in the conduct of its projects.

3 (e) To the extent recommended by the Council of
4 Common Defense and approved by the President, (1) the in-
5 telligence operations of the departments and other agencies
6 of the Government shall be open to inspection by the Direct-
7 or in connection with the planning functions of the Agency
8 and (2) the intelligence possessed by such departments and
9 agencies shall be made freely available to the Director for
10 correlation, evaluation, or dissemination.

11 (f) The Agency may transfer funds to other governmental
12 agencies for intelligence work included within the programs
13 formulated by the Agency.

14 (g) The Agency shall report annually to the Council of
15 Common Defense an account of the work done by the Agency and
16 such report shall, to the extent consistent with the national
17 security, be included in the annual report of the Council.

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19 (f) In the conduct of the agency's
20 activities, the Director shall be ~~fully~~
21 responsible for fully protecting intelligence
22 sources and methods.

23
24 (f) In the conduct of the Agency's
25 activities, the Director shall be
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